

REMARKS

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3 1. The Office Action of August 30, 1999 is hereby acknowledged. This Amendment
4 Under 37 C.F.R. § 1.115 is being mailed by Express Mail, Mail Label No. EL427487052US, in a
5 postage paid envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231
6 on November 5, 1999. The shortened statutory period of three (3) months time period for
7 response to this Office Action expires on November 30, 1999. Accordingly, this Amendment is
8 timely filed. In the event that the Assistant Commissioner for Patents should determine that a one
9 month extension of time is required for this Amendment to be timely filed and an appropriate fee
10 is due for that extension of time, then the Assistant Commissioner for Patents is hereby authorized
11 to charge Deposit Account Number 18-2222 for such appropriate fee.

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13 2. In this Amendment, original Claims 5 through 35 have been renumbered as Claims
14 4 through 34, and Claims 1, 2 and newly renumbered Claims 4 through 34 have been amended.
15 The original Application had thirty-four (34) total claims wherein three (3) were independent
16 claims. The '648 Application now has thirty-four (34) total claims wherein three (3) are
17 independent claims. Therefore, the pending Application now has the same number of total claims
18 and the same number of independent claims, compared to the originally filed Application.
19 Accordingly, no additional filing fee is due. In the event that the Assistant Commissioner for
20 Patents should determine that any additional fee is due, then the Assistant Commissioner for
21 Patents is hereby authorized to charge Deposit Account Number 18-2222 for the appropriate fee.

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23 3. The Examiner's comments on Claim 1 is acknowledged. Claim 1 has been
24 amended accordingly to the Examiner's suggestions on page 2 of the Office Action.

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26 4. The Examiner's rejection of pending Claims 6, 7, and 20 through 34 under
27 35 U.S.C. § 112, second paragraph, has been noted. More particularly, the Examiner has rejected
28 the claims as being indefinite for failing to particularly point out and distinctly claim the subject

1 matter which applicant regards as the invention. The Examiner's observation is appreciated.
2 Claims 6, 7 and 20 through 34 have been amended accordingly to the Examiner's suggestions on
3 page 2 of the Office Action. No new matter has been introduced. Therefore, it is believed that
4 Claims 6, 7 and 20 through 34 as presently set forth are allowable. Accordingly, reconsideration
5 and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are respectfully
6 requested.

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8 5. The Examiner's objection of pending Claims 2, 3, 10, 12, 13 and 20 through 34
9 has been noted. The Examiner's observation is appreciated. Claims 2, 3, 10, 12, 13 and 20
10 through 34 have been amended accordingly to the Examiner's suggestions on page 3 of the Office
11 Action. No new matter has been introduced. Therefore, it is believed that Claims 2, 3, 10, 12, 13
12 and 20 through 34 as presently set forth are allowable. Accordingly, the Examiner's objection to
13 Claims 2, 3, 10, 12, 13 and 20 through 34 has been overcome.

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15 6. The Examiner's objection to the drawings is hereby acknowledged. More
16 particularly, the Examiner has objected to Claims 4 through 10 and the system which stops
17 transmitting the platform output signal when the platform is at an unsafe level of Claim 13. The
18 Examiner's observation is appreciated. Claims 4 through 10 claim alternative sensing means
19 which have the same basic principles as claimed in Claim 2 of the '648 Application. It is therefore
20 believed that the alternative sensing means are shown as reference numeral 12 of the drawings.
21 The sensing means is a very broad term and is supported on page 7, lines 22 through 26 of the
22 '648 Application. Furthermore, Claim 13 has been amended as "The warning system in
23 accordance with Claim 1 wherein said means for determining the position of said platform and
24 stops transmitting said position output signal when said platform is at a safe level." The system
25 for determining the position of the platform and transmitting the position output signal when the
26 plate is at an unsafe level is the same system which stops transmitting the position output signal
27 when the platform is at a safe level and is shown in the drawings as the cam assembly. For the
28 reasons stated above, it is believed that Claims 4 through 10 and 13 have overcome the


1 Examiner's objection to the drawings. The Examiner's comments concerning Claims 4 through
2 10 and 13 are deemed moot.

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4 7. The Examiner's objection to the Abstract of the Disclosure is acknowledged. The
5 Abstract has been amended accordingly to the Examiner's suggestions on pages 4 and 5 of the
6 Office Action. No new matter has been introduced. Therefore, it is believed that Examiner's
7 objection to the Abstract of the Disclosure has been overcome.

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9 8. For the reasons stated above, it is submitted that the Claims 1 through 34 of the
10 '648 Application as presently set forth are now in condition for allowance. Accordingly,
11 reconsideration and withdrawal of the rejection and objections are respectfully requested, and
12 issuance of a Notice Of Allowance of all pending claims of the '648 Application is respectfully
13 solicited.

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15 Respectfully submitted,

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17 Date: November 5, 1999


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